

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JOHN STUART,

Defendant.

21-CR-07-LJV-JJM

NOTICE OF MOTION

MOTION BY:

Jeffrey T. Bagley, Assistant Federal Public
Defender

DATE, TIME & PLACE:

Before the Honorable Lawrence J. Vilardo, United
States District Court Judge, Robert H. Jackson
United States Courthouse, 2 Niagara Square,
Buffalo, New York, **on the papers submitted.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Jeffrey T. Bagley, dated November 13, 2023

RELIEF REQUESTED:

Extension of Time to File Supplemental
Submission.

DATED:

Buffalo, New York, November 13, 2023.

Respectfully submitted,

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley
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Counsel for Defendant John Stuart

TO: David J. Rudroff
Assistant United States Attorney

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AFFIRMATION

JEFFREY T. BAGLEY, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and I represent the defendant, John Stuart, in the instant matter.

2. Judge McCarthy issued a sealed Report, Recommendation, and Order on May 22, 2023. (Dkt # 93) in which the Defense filed an objection to on August 7, 2023. (Dkt # 100).

3. Parties appeared before Your Honor on October 13, 2023, for oral argument on the defense's Objection to the R&R. (Dkt #107). During this appearance, Your Honor gave the defense until November 13, 2023, to file a supplemental submission. *Id.*

4. This motion respectfully requests a two-week extension of time to file the supplemental submission, as more time is needed to research various complex issues.

5. Assistant U.S. Attorney David Rudroff has no objection to this request, and the defense has no objection to a commensurate extension of the government's time to respond.

DATED: Buffalo, New York, November 13, 2023.

Respectfully submitted,

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley

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Counsel for Defendant John Stuart

TO: David J. Rudroff
Assistant United States Attorney